

# Notice of Allowability

Application No.

10/758,885

Examiner

Naeem Haq

Applicant(s)

CARMEN, BILLY W.

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/21/2006.
2. ☒ The allowed claim(s) is/are 1, 3-5, 9-11, 14, and 15-17.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.



Primary Examiner  
Naeem Haq

## **DETAILED ACTION**

### ***Response to Amendment***

This action is in response to the Applicant's amendment filed on December 21, 2006. Claims 2, 6-8, 12, and 13 have been cancelled. Claims 1, 3-5, 9-11, 14, and 15-17 are pending and will be considered for examination.

### ***Allowable Subject Matter***

Claims 1, 3-5, 9-11, 14, and 15-17 are allowed.

The following is the Examiner's statement of reasons for allowance: Statement of allowance is in reference to independent claims 1 and 9. All other claims are dependencies of these independent claims.

The present application is directed to a method for managing a customer referral of a product over a network. The method receives a customer's referral and searches a manufacturer and consumer database to determine whether a particular retailer already stocks the product and whether other consumers have already referred the product. The method then rewards the referring consumer with a reward provided certain conditions have been met.

The independent claims 1 and 9 recite the uniquely patentable conditional statements that must be met before the referral is entered into the consumer and manufacturer database and before the referring consumer is rewarded for the referral.

Discussion of most relevant prior art:

The following references have been identified as the most relevant prior art to the claimed invention.

(i) US 2004/0215542 A1 to Rossides. Rossides generally teaches a method for managing a customer referral of a product over a network. However, Rossides fails to disclose or suggest the conditional statements that must be met before the referral is entered into the consumer and manufacturer database and before the referring consumer is rewarded for the referral.

(ii) US 6,029,141 to Bezos et al. Bezos discloses a method for managing a customer referral of a product over a network. However, Bezos fails to disclose or suggest the conditional statements that must be met before the referral is entered into the consumer and manufacturer database and before the referring consumer is rewarded for the referral.

(iii) Dialog File "AMAZON.COM INTRODUCES AMAZON.COM ASSOCIATES – A NEW MODEL FOR INTERNET-BASED COMMERCE" ("Dialog"). Dialog discloses an internet-based referral system and method. However, Dialog fails to disclose or suggest the conditional statements that must be met before a referral is entered into the consumer and manufacturer database and before the referring consumer is rewarded for the referral.

(iv) JP 2004-178317 to Hattori Motomitsu. ("JPO"). JPO generally discloses a method for recommending books that match a customer's preferences. However, JPO fails to disclose or suggest the conditional statements that must be met before a referral is

entered into the consumer and manufacturer database and before the referring consumer is rewarded for the referral.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naeem Haq whose telephone number is (571)-272-6758. The examiner can normally be reached on M-F 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on (571)-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



**Naeem Haq**, Primary Examiner  
Art Unit 3625

February 28, 2007